

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEB 7 - 1997

In the Matter of)

Replacement of Part 90 by Part 88 to)
Revise the Private Land Mobile Radio)
Services and Modify the Policies)
Governing Them)

PR Docket No. 92-235

and)

Examination of Exclusivity and)
Frequency Assignment Policies of)
the Private Land Mobile Radio Services)

To: Private Wireless Division,
Wireless Telecommunications Bureau

**COMMENTS OF THE ALARM INDUSTRY COMMUNICATIONS COMMITTEE
WITH RESPECT TO INDUSTRIAL TELECOMMUNICATIONS ASSOCIATION, INC.
TECHNICAL BLUEPRINT FOR FREQUENCY USE LIMITATIONS**

The Alarm Industry Communications Committee (AICC), by its attorney, submits the following comments with respect to the Technical Blueprint for Frequency Use Limitation in the Post-refarming Environment recently filed with the Commission by the Industrial Telecommunications Association, Inc. (ITA).¹

AICC is a committee of the Central Station Alarm Association (CSAA), and is charged with monitoring developments at the federal level affecting the ability of the alarm industry to utilize telecommunications technology in providing its valuable protection services to the public. CSAA represents the vast majority of entities providing central station alarm security

¹ See Public Notice, Mimeo No. DA 97-206, released January 28, 1997.

protection. In addition, the National Burglar and Fire Alarm Association (NBFAA) is represented on AICC. Thus, the Committee can reliably speak for the vast majority of the alarm industry. The entities represented on AICC are dedicated to providing such services as the alarming of business and individual dwellings, to protect both commercial users and consumers against fire and burglary. More recently, the members have expanded their services to include medical alert protection.

The ITA filing states that the blueprint is simply a recitation of existing frequency limitations, except that ITA has made certain assumptions regarding the consolidation of the radio services. Principally, ITA assumes that in the post-consolidation environment there will exist only two frequency pools: a public safety pool, for police, fire and other emergency services, and a private wireless pool, which would include all other private land mobile services.

AICC does not support the two-pool concept, and has already filed its comments in this regard with the Commission. Those comments are incorporated herein by reference. AICC notes that ITA's blueprint does preserve the current eligibility restriction with respect to the frequencies allocated for central station electrical protection services. However, ITA's assertion that the blueprint is essentially a recitation of existing limitations is erroneous. AICC has found that ITA's blueprint makes several important changes to the existing limitations on the frequencies used for central station operations, without any explanation.

Certain frequencies are currently reserved exclusively for central station use up to 75 miles from the centers of urbanized areas of 200,000 or more population, and available to other Business Radio Service licensees outside of these areas. Other frequencies are reserved nationwide exclusively for central station use. See FCC Rule Sections 90.75(c)(27) and (28).

The ITA plan would make the shared frequencies available for central station exclusive use only within 50 miles of urbanized areas of 200,000 or more population, rather than 75 miles, without any explanation for this reduction in the area in which central station licensees have exclusive use of the frequencies. Even with the 75 mile radius protection currently available, central station licensees have experienced interference problems from Business Radio Service licensees. This has been particularly true in areas such as California, with its unusual terrain. Reducing the central station exclusive area to a 50 mile radius can only increase interference between central station and non-central station systems, jeopardizing the safety of persons the property.

Also, central station operators currently have the benefit of a specific provision under Rule Section 90.75(b)(39) to operate secondary fixed transmitters on the same frequency as the licensee's land mobile operations. This rule section allows central station licensees to install alarm transmitter at customers premises without having to obtain a license for each customer's specific site. It also allows operation of unattended

transmitters and exempts these alarm transmitters from the station identification requirement. These are important provisions to the central station alarm industry since requiring separate licensing for each customer's location would result in a nightmare of paperwork to the licensees, as well as to the Commission, as customers are added and removed from its system. It would also present burglars with a shopping list of locations at which valuable property might be found. These important provisions are not carried over into the ITA blueprint.

Similarly, the current regulations specifically provide, at Rule Section 90.75(c)(40), for installation of transmitting facilities at police and fire stations, or vehicles, on the licensee's central station frequency. This provisions allows immediate contact between the central alarm facility and the local police and fire department, as well as direct communication with police and fire vehicles. This provision too has been eliminated in the ITA blueprint, without explanation. Its deletion would clearly jeopardize the ability of public safety entities to timely respond to life threatening situations.

AICC appreciates ITA's efforts to move the consolidation issue along for decision by the Commission. Nevertheless, it disagrees with ITA on the benefits of a two pool consolidation scheme and it therefore urges the Commission to reject ITA's two pool consolidation proposal. As shown in the AICC's comments, the Commission should retain the current pools, or should reclassify central station operations as either public safety, or

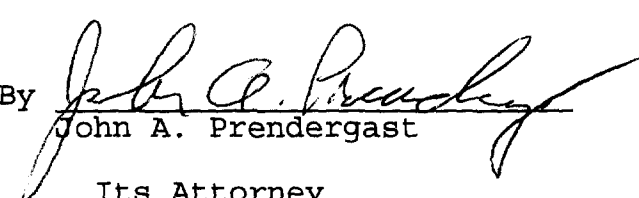
"quasi-public safety" operations (similar to those proposed for inclusion in the "public service" pool by the UTC. The alarm industry uses its central station operations in direct cooperation with police and fire departments, to protect lives and property. The alarm industry thereby saves the Federal, state and local governments untold resources, by reducing the need for armed patrols, and by focusing their emergency response efforts.

Regardless of which consolidation plan is adopted by the Commission, it is vital that the Commission retain the current provisions for a 75 mile exclusive zone embodied in Section 90.75(c)(27) of the Commission's Rules, as well as the right to operate fixed transmitters indefinitely under a temporary fixed license, and to install transmitting facilities at police and fire stations.

Respectfully submitted,

**Alarm Industry Communications
Committee**

By


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CERTIFICATE OF SERVICE

I, Eugene Maliszewskyj, an employee of the Law Offices of Blooston, Mordkofsky, Jackson & Dickens, certify that a copy of the foregoing comments was mailed this 7th day of February 1997, by United States first class mail, postage prepaid, to the following:

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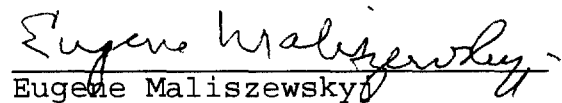
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